

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9116 of 2023**

Arising Out of PS. Case No.-122 Year-2022 Thana- HASANGANJ District- Katihar

HAZRA KHATOON Wife of Md. Abbas R/O- Hasanganj, P.S.- Hasanganj,  
Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Ms. Neha Rani, Advocate          |
|                          | : | Mr.Sanjeev Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mr.Anil Kumar, APP               |
| For the Informant        | : | Mr.Md. Musowir, Advocate         |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      24-06-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
18.08.2022 in connection with Hasanganj P.S. Case No. 122 of  
2022, F.I.R. dated 06.10.2022 registered for the offence  
punishable under Sections 302,120(B)/34 of IPC.

The prosecution case in short is that on 06.10.2022  
the son of informant had gone to attend call of nature, where  
accused persons including this petitioner tied him in Khajoor  
Tree and brutally assaulted him by iron rod, later he died at  
Sadar Hospital, Katihar during treatment.

Learned counsel appearing for the petitioner submits  
that the petitioner has clean antecedent and she has falsely been



implicated in the present case. Further submits that from bare perusal of the FIR it transpires that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and due to some dispute, the present occurrence has taken place and the petitioner has falsely been implicated in the present case and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.08.2022.

Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Hasanganj P.S. Case No. 122 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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